Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	WC Docket No. 13-39
Rural Call Completion	DA 13-780

REPLY COMMENTS OF
THE MASSACHUSETTS DEPARTMENT OF
TELECOMMUNICATIONS AND CABLE

The Massachusetts Department of Telecommunications and Cable (MDTC)[1] respectfully

submits these reply comments regarding the Notice of Proposed Rulemaking (NPRM) released

by the Federal Communications Commission (FCC) on February 7, 2013.[2] In the NPRM, the

FCC seeks comment on rules to help address problems in completing long-distance telephone

calls to rural customers. The MDTC concurs with the comments filed by the National

Association of Regulatory Utility Commissioners (NARUC) and by the Joint State Commissions

in this proceeding and encourages the FCC to go beyond the data collection efforts proposed in

the NPRM to help resolve the rural call completion problem.[3]

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[1] The MDTC regulates telecommunications and cable services within the Commonwealth of Massachusetts and represents the Commonwealth before the FCC. See Mass. Gen. Laws ch. 25C, § 1 and ch. 166A, § 16.

[2] *In the Matter of Rural Call Completion*, WC Docket No. 13-39, FCC 13-18, Notice of Proposed Rulemaking (rel. Feb. 7, 2013); Public Notice, DA 13-780 (rel. Apr. 18, 2013).

[3] National Association of Regulatory Utility Commissioners (NARUC) Comments (filed May 8, 2013), p. 3; Comments filed by the Nebraska Public Service Commission for the state commissions and departments of California, Idaho, Indiana, Iowa, Michigan, Minnesota, Montana, Nebraska, New York, Ohio, Pennsylvania, South Dakota, Vermont, and West Virginia (filed May 13, 2013) (Joint State Commissions Comments), pp. 2-3.

In the NPRM, the FCC seeks comment on rules to help address problems in the completion of long distance telephone calls to rural consumers. The NPRM demonstrates the need for immediate action to provide relief to customers that are attempting to place calls, or to receive calls, in rural areas but whose calls are not completed. While call completion is characterized as a rural issue, the problem can extend to suburban and urban areas in Massachusetts as these calls may originate or terminate anywhere in the United States.

In its comments, NARUC asks the FCC to take additional measures beyond collecting data. Those steps include: 1) requiring the industry to track, record, and report the reason for call failure; 2) requiring the industry to provide a timed message alerting the caller that their call is being routed; 3) requiring call path entities to register with the FCC; 4) creating a database for a Single Point of Contact (SPOC) for all call path entities; 5) eliminating safe harbors regarding collection and retention of call failure data; and 6) requiring the reporting of industry standard metrics.[4] In addition, NARUC contends that the FCC should not unilaterally establish permissible call-completion comparison thresholds (ratios) for rural areas for either defining safe harbor provisions or determining enforcement action without forming a factual basis which supports such thresholds.[5] NARUC also asserts that the FCC should recognize state authority over call completion issues under independent state law.[6]

The MDTC agrees with NARUC and the Joint State Commissions and calls on the FCC to expand its rulemaking to ensure call failure causes are timely identified and either resolved or enforced in a meaningful way. The FCC has recognized the severity of rural call completion

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[4] NARUC Comments, p. 4.

[5] *Id.*

[6] *Id.*

problems and has proposed new data collection methods in this rulemaking.   Additional efforts, as described in NARUC's comments, are reasonable measures which the FCC should adopt to address this long-standing problem for rural and urban consumers.

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Respectfully submitted,

GEOFFREY G. WHY, COMMISSIONER

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